

Faxed to 571-273-2363 on 06/07/2004

PTO/SB/21 (08-03)

Approved for use through 08/30/2003. OMB 0851-0031

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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/037,146	
	Filing Date	12/21/2001	
	First Named Inventor	Painter	
	Art Unit	2874	
	Examiner Name	Eric K Wong	
Total Number of Pages in This Submission	22	Attorney Docket Number	CQC13NP

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): copies of six references
Remarks - resubmission of references previously submitted but not considered - - copies of six references included -		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	David S. Alavi Reg. No. 40310	
Signature	<i>David S. Alavi</i>	
Date	06/07/2004	

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. Faxed to 571-273-2363 on 06/07/2004			
Typed or printed name	David S Alavi Reg No 40310		
Signature	<i>David S. Alavi</i>	Date	06/07/2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Docket No. CQC13NP

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Painter et al

Art Unit: 2874

Filed: 12/21/2001

Examiner: Eric K Wong

App. No.: 10/037,146

For: Resonant optical modulators

REQUEST FOR CONSIDERATION OF REFERENCES

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

06/07/2004

Sir:

A Notice of Allowance dated 05/24/2004 has been received for the above-named application. In the Notice, Examiner has stated that six references listed in the Information Disclosure Statement of 01/23/2004 failed to comply with 37 CFR §1.98 and were therefore not considered.


It is believed by the Applicants that consideration of these six references will not alter the allowance of any of the claims of the application. Each is substantially similar to one or more other corresponding references that were considered by the Examiner.

However, in the interest of creating an unambiguous prosecution record for the application and any patent arising therefrom, Applicants respectfully and earnestly request that these six references be considered, and that the Examiner issue a supplemental Notice of Allowability or similar communication indicating that the references have been considered.

Included herewith is Form PTO/SB/08B Information Disclosure Statement by Applicant listing the six references in question, along with photocopies thereof. This communication and all associated materials are transmitted by facsimile directly to the Examiner to expedite consideration of the references.

Applicants regret any additional burden this request for consideration may impose on the Examiner, and greatly appreciate any consideration the Examiner may give to this matter.

Respectfully submitted,



David S. Alavi
3762 West 11th Ave.
#408
Eugene, OR 97402

Reg. No. 40,310
541-686-9462 voice
800-853-6150 fax
dalavi@northwestpatent.com